

RALFIGH, N.C.
NEWS & OBSERVER

M-130,044

S-154,008
SEP 10 1967

He May Win

Senator Sam's Fight With CIA

By Roy Parker Jr., Washington Correspondent,
The News and Observer

WASHINGTON — Sen. Sam Ervin Jr., whose dual personality makes him one of our most fascinating public figures, is now playing a role which seems unlikely for him.

If Ervin were only the Claghorn anti-Negro "constitutional expert" that he often seems to be, it would be passing strange that he has become the major nemesis of a sacrosanct institution — the Central Intelligence Agency.

But because of the duality of his nature, it seems completely in character that the North Carolinian is now in the role of harrier of CIA. There is even an outside chance that he may win his battle to crack — ever so slightly — the secrecy which has kept that agency from public scrutiny for a generation.

For, if Ervin has a blind spot about civil rights for some folks, he has a tenacious bent when it comes to such rights for others. His bill to provide a "Bill of Rights" for the army of federal government employees is one of his better efforts in that direction.

And it is this bill which has brought him up against the CIA, and its even more supersecret compatriot, the National Security Agency of the Defense Department. The Ervin bill would make it harder for closed-door and lie detector tests to employees and prospective employees.

And although it has a 53 co-sponsors, the Ervin bill is in trouble in the Senate because CIA and NSA opposition to the anti-test provisions. The bill was postponed before the Labor Day holiday when the agencies circulated objections — contained in a "top secret" 10-page letter — among senators.

Ervin said the secret attack on his bill was "unprecedented" in his 13 years of observing Congress in action from the inside. Even those who engineered the postponement agreed with the observation.

But, then, the CIA has always been unprecedented. Its multi-hundred million dollar budget is hidden and never debated in Congress. Its employees are exempt from many of the normal regulations of civil servants. Its bosses are never called on the public carpet, even when it has made colossal blunders.

And much of this is no doubt necessary. No one would deny that the CIA has brave men working at a dirty business. If their story is ever told, Americans will no doubt thrill to their exploits and justifiably count them heroes in a dangerous age.

But like any other giant enterprise, CIA also has a large element of humbug, a component of silliness. Because of the necessity for secrecy, it is more likely that the agency never has to account for the humbug and the silliness.

Ervin's "Bill of Rights" does little more than skim the top off such silliness. The bill would make it somewhat harder for the supersecret agencies to engage in some of the more dubious forms of personnel testing.

The evidence seems to be that thousands of workers, as many as 5,000 a year in both CIA and NSA, are required to take detailed personality tests

and submit to lie detectors each year. This figure would indicate that many thousands whose tests become file records of the secret agencies never actually work for the agencies.

Granting the need for such testing for many of its operatives, Ervin insists that the business is overdone when it becomes a general policy applied even to the hundreds of clerical and service personnel who back up the operatives.

The Morganton senator, who masks an essential bashfulness behind a penchant for purple rhetoric in debate, may have overdone it somewhat in the following floor remarks, but you get the idea.

Speaking of CIA personnel testing, Ervin asked:

"Do they know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea, if she loved her mother, if she goes to church every week, if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory, if she has to urinate more often than other people, what she dreams about, and other extraneous matter."

It sounds silly, but all the questions were actually included on one or another personnel questionnaire.

Ervin's bill would preclude such questioning except in cases approved by the top bosses of the intelligence agencies.

The outcome of the fight over his bill may not be dramatic. There undoubtedly should be some sort of compromise worked out in the siderooms of the congressional process. Face will be saved on both sides, and CIA will probably get essentially what it wants.

An Ervin victory over the CIA would, to many, constitute a rare breath of fresh air, a win for goodness over a sordidness which may be inevitable in our society, but which nevertheless rankles men of altruistic nature.

Ervin's personality adds credence to the symbolism. Despite his love of corny mountain humor, the senator is essentially an earnest man. He seeks to fight all his battles on planes which are so lofty they often seem out of the world.

In this case, what he actually is trying to do is rather simple. He is aiming at a species of humbug, not trying to bring down the nation.

His best tactic might be to try to laugh his bill across. The quote about secretaries hinted at a good store of material, but that would be against his basic nature. And in this mordantly silly business it would probably be doomed to failure anyway.